

Atty Dkt. No. 31182-6
Serial No. 10,019,655**REMARKS**

Claims 1-66 are cancelled. New claims 67-91 are added.

Claims 67-91 are now active in this case.

Claims 32, 33, 48, 49 and 52 stand rejected under 35 U.S.C. 103(a) as being obvious over Burrows et al. '056.

However, Burrows et al. '056 neither discloses nor suggests the particular claimed ligands of amended claim 32 attached to a salicylimine-type compound. Further, Burrows et al. '056 would neither have disclosed nor suggested to one skilled in the art at the time the present invention was made that the claimed nickel-based ligand complexes could be used to advantage in binding to a specific nucleotide, detecting the bindings and optionally isolating the DNA region with a labeled complex. Certainly, this reference fails to either disclose or suggest the inclusion of a biotin label.

Hence, this ground of rejection is unsustainable and should be withdrawn.

Claims 27-34, 37-39, 43-59, 65 and 66 stand rejected under 35 U.S.C. 112, first paragraph.

However, in view of the above amendments, this ground of rejection is deemed moot.

Furthermore, in view of the above amendments, it is urged that rejoinder of non-elected method of use claims is appropriate, and, thus, respectfully requested. M.P.E.P. 821.04(b).

Finally, pursuant to paragraph 6, of the Office Action of June 27, 2007, the undersigned has, upon investigating, determined that the University Of Maryland and the University of Utah were joint owners of all inventions claimed herein at the time they were made. See the "JOINT INVENTION AGREEMENT," previously submitted.

Accordingly, it is urged that this application is now in condition for allowance. Early notice of this effect is earnestly solicited. If the Examiner deems that any issues remain to be resolved, he is respectfully invited to contact the undersigned at (202) 659-6929.

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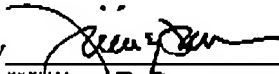
Applicant hereby petitions for the Commissioner to charge any additional fees or any underpayment of fees which may be required to maintain the pendency of this case or credit any overpayment to Deposit Account No. 04-1061.

Respectfully submitted,

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Date: October 31, 2007

By


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